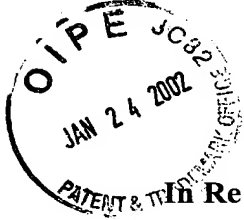


DOCKET NO.: NIH-0071/E-089-97/0



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Brian R. Murphy et al.

Serial No.: 09/083,793

Group No.: 1648

Filing Date: May 22, 1998

Examiner: M. Mosher

For: **PRODUCTION OF ATTENUATED PARAINFLUENZA VIRUS VACCINES
FROM CLONED NUCLEOTIDE SEQUENCES**

DATE OF DEPOSIT: December 18, 2001

I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID
ON THE DATE INDICATED ABOVE AND IS ADDRESSED
TO BOX AF, ASSISTANT COMMISSIONER FOR
PATENTS, WASHINGTON, DC 20231.

TYPED NAME: Jeffrey J. King
REGISTRATION NO.: 38,515

Assistant Commissioner for Patents
Washington DC 20231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed June 20, 2001 rejecting claims 1-94 and 96-143 for the second time of the above-identified patent application.

The item(s) checked below are appropriate:

1. **STATUS OF APPLICANT**

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:

#23
Ext. (3 mos.)
PATENT
N/A Appeal
3/23/02
AF/1648

RECEIVED
JAN 29 2002
TECH CENTER 1600/2900

09083793
03/25/2002 CTH000002 P33050
01 FC:119
02 FC:117

- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization

2. EXTENSION OF TIME

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1)-(4)) for the total number of months checked below:

	SMALL ENTITY		NOT SMALL ENTITY	
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$200	\$	\$400	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$460	\$	\$920	\$920
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$980	\$	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$)	minus	(\$)
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$160	\$	\$320	\$320
TOTAL FEE DUE				\$1240

3. FEE PAYMENT

- ☒ Please charge my Deposit Account No. 23-3050 in the amount of **\$1240**. A duplicate of this transmittal is attached.



The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

Date: December 18, 2001


Jeffrey J. King
Registration No. 38,515

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439